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13 Attorneys for Defendants

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 SHAHID KHAN,

17 Plaintiff,

v.

JONATHAN SCHARFEN,

18 Acting Director, United States  
19 Citizenship and Immigration Services,

Defendant.

} No. 08-cv-1398 (JSW)

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**JOINT REQUEST TO BE EXEMPT  
FROM FORMAL ADR PROCESS;  
PROPOSED ORDER**

Each of the undersigned certifies that he or she has read either the handbook entitled

"Dispute Resolution Procedures in the Northern District of California," or the specified portions of  
the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute  
resolution options provided by the court and private entities, and considered whether this case  
might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because  
this mandamus action is limited to plaintiff's request that this Court compel defendants to  
adjudicate the application for adjustment of status. Given the substance of the action and the lack  
of any potential middle ground, ADR will only serve to multiply the proceedings and  
unnecessarily tax court resources.

1 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from  
2 the ADR Multi-Option Program and that they be excused from participating in the ADR phone  
3 conference and any further formal ADR process.

4 Date: May 29, 2008

5 Respectfully submitted,

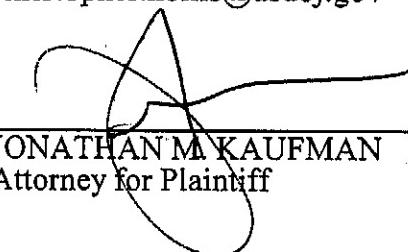
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12 By:

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22   
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24 Attorney for Plaintiff

25 **ORDER**

26 Pursuant to stipulation and to ADR L.R. 3-3(c), the parties are hereby removed from the  
27 ADR Multi-Option Program and are excused from participating in the ADR phone conference and  
28 any further formal ADR process.

29 **SO ORDERED.**

30 Dated this 2 day of June, 2008

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32 JEFFREY S. WHITE  
33 United States District Judge